

REMARKS

The Applicant thanks the Examiner for the thorough consideration given the present application. Claims 2 and 3 are pending. Claim 1 was previously cancelled. Claims 2 and 3 are amended. Claim 2 is independent. The specification has been amended. The Examiner is respectfully requested to reconsider the rejections in view of the amendments and remarks set forth herein.

ALLOWABLE SUBJECT MATTER

The Examiner states that claims 2 and 3 would be allowable if rewritten to overcome the rejection under 35 U.S.C. §112, second paragraph.

The Applicant appreciates the Examiner's early indication of allowable subject matter. As indicated below, claims 2 and 3 are amended to particularly point out and distinctly claim the subject matter which Applicant regards as the invention.

Therefore, claims 2 and 3 are in condition for allowance.

CLAIM FOR PRIORITY

The Examiner has acknowledged the Applicant's claim for foreign priority. No further action is necessary at this time.

ACKNOWLEDGEMENT OF INFORMATION DISCLOSURE STATEMENT

It is gratefully acknowledged that the Examiner has acknowledged the Information Disclosure Statement filed on September 10, 2003.

AMENDMENTS TO THE SPECIFICATION/ABSTRACT

The Abstract of the Disclosure is amended to correct an error in translation. The Abstract is now consistent with claim 2.

REJECTION UNDER 35 U.S.C. § 112, SECOND PARAGRAPH

Claims 2 and 3 stand rejected under 35 U.S.C. § 112, second paragraph as being indefinite. This rejection is respectfully traversed.

REGARDING INDEPENDENT CLAIM 2

The Examiner rejected claim 2 as being indefinite due to the phrase “said head and said body have respective thickness equal to or smaller than the thickness of said head”. As the Examiner will note, this phrase has been amended to “said neck and said body have respective thickness equal to or smaller than the thickness of said head”. The above recitation is a product of a mistranslation from the Japanese priority document. However, support for this amendment can also be found in the figures and page 14, line 19 thru page 15, line 4 of the present specification. Therefore, no new matter has been entered.

REGARDING DEPENDENT CLAIM 3

The Examiner rejected claim 3 as failing to specify which “pressing load” is referred to as it applies to either the pad or the forming punch, which renders the subject matter unclear. The process of blanking elements from metal sheet is performed as follows, the metal sheet place on a die is pressed against the die by the pressing force of a pad, and then the thin region of the metal sheet is pressed and transformed to blank out the element.

Therefore, the pressing load applied by the punch is different from the pressing load applied by the counter punch or the forming punch. However, the Examiner has taken the position that this difference is unclear. Therefore, claim 3 is amended as follows so that the pressing load by the punch is clearly different from the pressing load applied by the counter punch or the forming punch, by clarifying that the process of pressing the metal plate against the die is different from the process of pressing and transforming the metal plate.

Specifically, claim 3 has been amended to recite "prior to the step of pressing said metal sheet with said forming punch and pressing and transforming the thin region of the body into the predetermined cross-sectional shape, under the counter load which is applied by said counterpunch to counter a pressing load which is applied by said forming punch, pressing said metal sheet against said die with pad".

The basis for this Amendment can be found in page 13, lines 3-9 of the specification.

The Applicant respectfully submits that the claims, as amended, particularly point out and distinctly claim the subject matter which the Applicant regards as the invention. Accordingly, reconsideration and withdrawal of this rejection are respectfully requested.

Accordingly, reconsideration and withdrawal of the rejection under 35 U.S.C. §112, second paragraph are respectfully requested.

CONCLUSION

Since the remaining patents cited by the Examiner have not been utilized to reject claims, but merely to show the state of the art, no comment need be made with respect thereto.

All of the stated grounds of rejection have been properly traversed, accommodated, or rendered moot. It is believed that a full and complete response has been made to the outstanding Office Action, and that the present application is in condition for allowance.

If the Examiner believes, for any reason, that personal communication will expedite prosecution of this application, he is invited to telephone Carl T. Thomsen (Reg. No. 50,786) at (703) 205-8000.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. §§1.16 or 1.17, particularly extension of time fees.

Respectfully submitted,

BIRCH, STEWART, KOLASCH & BIRCH, LLP

By 

James M. Slattery

Reg. No. 28,380


P. O. Box 747

Falls Church, VA 22040-0747

(703) 205-8000

for

#43,368


JMS/CTT/te
Attachments:

Abstract

Japanese translation annotated to show error